

10-6-00

A. B. S. 7/11

# UTILITY PATENT APPLICATION TRANSMITTAL (Large Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.  
107-206 C

Total Pages in this Submission

## TO THE ASSISTANT COMMISSIONER FOR PATENTS

Box Patent Application  
Washington, D.C. 20231

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

PROSTATE CANCER-SPECIFIC MARKER

and invented by:

CYNTHIA K. FRENCH, PATRICK A. SCHNEIDER AND KAREN K. YAMAMOTO

If a CONTINUATION APPLICATION, check appropriate box and supply the requisite information:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 09/036,315 andWhich ~~is~~ ALSO A☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 09/535,597Which ~~is~~ claim the benefit of prior Provisional Applications☒ Continuation ☒ Divisional ☒ Continuation-in-part (CIP) of prior application No.: 60/041,246 and 60/047,811

Enclosed are:

## Application Elements

1. ☒ Filing fee as calculated and transmitted as described below
2. ☒ Specification having 69 pages and including the following:
  - a. ☒ Descriptive Title of the Invention
  - b. ☒ Cross References to Related Applications (if applicable)
  - c. ☐ Statement Regarding Federally-sponsored Research/Development (if applicable)
  - d. ☐ Reference to Microfiche Appendix (if applicable)
  - e. ☒ Background of the Invention
  - f. ☒ Brief Summary of the Invention
  - g. ☒ Brief Description of the Drawings (if drawings filed)
  - h. ☒ Detailed Description
  - i. ☒ Claim(s) as Classified Below
  - j. ☒ Abstract of the Disclosure

# UTILITY PATENT APPLICATION TRANSMITTAL

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### Application Elements (Continued)

3. ☒ Drawing(s) (when necessary as prescribed by 35 USC 113)
- a. ☐ Formal Number of Sheets \_\_\_\_\_
- b. ☒ Informal Number of Sheets 6
4. ☒ Oath or Declaration
- a. ☐ Newly executed (original or copy) ☐ Unexecuted
- b. ☒ Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional application only)
- c. ☒ With Power of Attorney ☐ Without Power of Attorney
- d. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application,  
see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5. ☒ Incorporation By Reference (usable if Box 4b is checked)  
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied  
under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby  
incorporated by reference therein.
6. ☐ Computer Program in Microfiche (Appendix)
7. ☒ Nucleotide and/or Amino Acid Sequence Submission (if applicable, all must be included)
- a. ☒ Paper Copy
- b. ☐ Computer Readable Copy (identical to computer copy)
- c. ☐ Statement Verifying Identical Paper and Computer Readable Copy

### Accompanying Application Parts

8. ☒ Assignment Papers (cover sheet & document(s)) From Prior Application
9. ☐ 37 CFR 3.73(B) Statement (when there is an assignee)
10. ☐ English Translation Document (if applicable)
11. ☐ Information Disclosure Statement/PTO-1449 ☐ Copies of IDS Citations
12. ☒ Preliminary Amendment with Substitute Sequence Listing (19 pages);  
Computer Readable Copy & Statement verifying identity of above copies.
13. ☒ Acknowledgment postcard
14. ☒ Certificate of Mailing
- ☐ First Class ☒ Express Mail (Specify Label No.): EK179422045US

**UTILITY PATENT APPLICATION TRANSMITTAL**  
**(Large Entity)**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

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Total Pages in this Submission

**Accompanying Application Parts (Continued)**

15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)

16. ☒ Additional Enclosures (please identify below):

Copy of 2nd Assignment and Revocation and Power of Attorney from parent application previously filed; substitute Sequence Listing - Paper copy (19 pgs). Computer Readable Copy of Sequence Listing; Statement in Accordance with 37 CFR 1.821(c) and (e); Check No. 3639 for \$1,110.00

**Fee Calculation and Transmittal**

**CLAIMS AS FILED**

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	18	- 20 =	0	x \$18.00	\$0.00
Indep. Claims	8	- 3 =	5	x \$80.00	\$400.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
BASIC FEE					\$710.00
OTHER FEE (specify purpose)					\$0.00
TOTAL FILING FEE					\$1,110.00

- ☒ A check in the amount of **\$1,110.00** to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge and credit Deposit Account No. **13-4892** as described below. A duplicate copy of this sheet is enclosed.
- ☐ Charge the amount of \_\_\_\_\_ as filing fee.
- ☒ Credit any overpayment.
- ☒ Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.
- ☐ Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

  
Signature

Dated: **October 4, 2000**

**JOSEPH E. MUETH, ESQ.**

CC:

**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**Applicant(s): **CYNTHIA K. FRENCH ET AL.**

Docket No.

**107-206 C**

Serial No.

Not assigned yet

Filing Date

Herewith

Examiner

Not assigned yet

Group Art Unit

Not assigned yet

Invention: **PROSTATE CANCER-SPECIFIC MARKER**JC913 U.S. PTO  
09/680121

I hereby certify that the following correspondence:

**UNITED STATES CONTINUATION PATENT APPLICATION WITH ATTACHMENTS***(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under  
37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231

**OCTOBER 4, 2000***(Date)***LAURA VELARDE***(Typed or Printed Name of Person Mailing Correspondence)**(Signature of Person Mailing Correspondence)***EK179422045US***("Express Mail" Mailing Label Number)***Note: Each paper must have its own certificate of mailing.**

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	Group Art Unit: 1643
French et al.	)	Examining Attorney:
Serial No.: 09/036,315	)	Not Assigned
Filed: March 6, 1998	)	Date: May 19, 1999
For: PROSTATE CANCER-SPECIFIC	)	Pasadena, California
MARKER	)	

LETTER

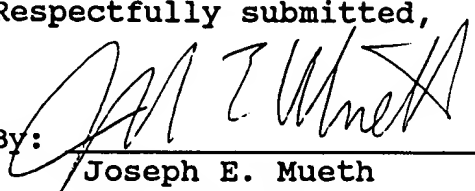
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Attached hereto is a Revocation and Power of Attorney for  
filing in the above captioned matter.

Respectfully submitted,

By:

  
Joseph E. Mueth  
Reg. No. 20,532

Dated: May 19, 1999

225 South Lake Avenue  
Eighth Floor  
Pasadena, California 91101

I hereby certify that this correspondence  
is being deposited with the United States  
Postal Service as first class mail in  
an envelope addressed to: Assistant  
Commissioner for Patents, Washington, D.C. 20231, on

May 19, 1999

  
Laura Velarde